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for bakers to sixty hours a week, was unconstitutional, may help to dispel some false notions regarding legislative functions; but the decision is too heavily burdened by conflicting opinions to be very decisive of anything. It is a turn in the right direction, however, and may end well.

In preparing a table of contents, a table of cases and an index for the book the author has shown uncommon faithfulness. The index covers over three hundred pages and is both a topic and syllabus index with full cross references. The table of cases cited numbers over thirty-five thousand and gives the official and the unofficial reports in which the cases may be found. Where a number of cases are cited in the notes to the same point the cases are from foreign reports, then from federal reports and then from the state reports, arranged in alphabetical order. In his book-making the author has been very methodical. In every department of his work he has adopted some simple method and adhered to it rigorously. This is very helpful to the practitioner. After a few moments' acquaintance with the work one will know where to look for a point decided, and having looked will find it and the cases upon it, if it pertains to contract law. Nothing more than this can be asked for.

The publishers are to be commended for what they have done, but the volumes are too bulky and the paper too heavy. The work in four volumes and on lighter paper would be more convenient. Perhaps, however, this is not a fault. It certainly does not detract from the intrinsic merit of the book.

We must say that the author has made a contribution of permanent value to the science of jurisprudence and that during many years of practice and teaching in law, no better book on contract law for the practitioner of today has come under our observation.

J. C. KNOWLTON.

THE ENCYCLOPAEDIA OF EVIDENCE. Edgar W. Camp, Editor-in-chief, Los Angeles, California: L. D. Powell Co., 1902-1905. Vols. I-VI, pp. 1020, 1000, 961, 1017, 971, 936.

Never before in a single year has the law of evidence been so enriched as in the year just passed.

Almost simultaneously were announced the publication of Professor Wigmore's great work, in four royal octavo volumes, and that of Byron K. and William F. Elliott, also in four volumes. And then come at least three volumes of the Encyclopædia of Evidence. The publication of the volumes of this series began somewhat earlier, but the past year three out of the seven volumes already published were brought out.

There is indication here that the real importance of this branch of the law is coming to be appreciated in better measure. There certainly is no other subject of the law upon which the practitioner needs to be more generally or more accurately informed, nor one, as to which, there is greater need that the law of the subject be more readily accessible.

The past decade and a half has witnessed great accomplishments in the explorations of this field, and in the setting forth of the law of this subject, particularly in this country.

For more than a half century the work of Professor Greenleaf held this field practically unchallenged. About fifteen years ago the work of Professor Thayer came to be known to the general public through articles of his published in the *Harvard Law Review*. These were followed in 1898 by the publication of his book, *A Preliminary Treatise on Evidence at the Common Law*. This work of Professor Thayer was new in its method of treatment, and while, as its title indicates, it was but the foundation for the work he thought to accomplish later, it marked him as a master of this subject, and the profession looked anxiously for his more general treatise, which never was published by reason of the author's death. The logical sequence of this work of Professor Thayer was the treatise of Professor Wigmore, his pupil, previously referred to. This bears convincing evidence, as do the other works upon this subject published since the work of Professor Thayer, of the very potent influence of his scholarly treatment.

On first thought it might be questioned whether the field was not so well occupied with the great text works referred to that this *Encyclopædia of the Law of Evidence* was unnecessary. It is to be answered that too much cannot be known about so important a subject; that no one author will exhaust the learning of it, and the information of all will still leave something to be known.

The encyclopædic treatment of the law and various of its branches, has become so familiar to the profession, and seems to have been so generally approved, that the character of this work will be understood from its title; it is an *encyclopædia* of the law of evidence.

This work is not a treatise in which theories are advanced and sought to be established, but is an effort "to present the rules of evidence, with the decided cases in such form that they shall be ready for instant use when wanted." The editors of this work aim to avoid the inconvenience which arises from the statement of general propositions, and the citation of a great number of authorities in support of them, by making their statements of propositions more specific, embracing a single precise question only and supporting these with citations of cases bearing directly upon them. While it is true that the work is an *encyclopædia*, and not a *treatise*, it bears evidence all through that it has been prepared in the light of the best results of modern research.

This method of treatment results in increasing very much the magnitude of the work beyond what would be required for the statement of general principles and the citation of supporting authorities. There can be no question regarding the value of this treatment to the busy practicing lawyer. While it is true that there is not the same need for a work of this kind where one has *Wigmore* or *Elliott*, as where these are not at hand, still the up-to-date practitioner will scarcely feel that he can afford to be without this work if it proves to have been well done.

The work is under the general editorship of Edgar W. Camp and is expected to be completed in about twelve volumes. The first volume was published in 1902, the second in 1903, the third and fourth in 1904 and the fifth, sixth, and we understand the seventh, in 1905. Mr. Camp is assisted by various other persons who write on particular subjects. The danger in a work so constructed is that it may lack unity by reason of laxity in the

Editor-in-chief. So far as the writer is able to observe from the volumes at hand there is little occasion for criticism on this score. Another danger, which comes from the association of many persons constructing independent portions of a work of this character, that of finding some portions overwrought, as related to other, seems to have been well avoided. The work of these earlier volumes seems well balanced. It is impossible for the reviewer to speak of the accuracy of the work as a whole, or of the care and judgment used in the selection and citation of authorities throughout all parts of even the volumes published, but to judge from a somewhat careful examination of certain titles, to which the reviewer has had occasion to give some special attention, the work is very meritorious when judged from these points of view.

To give an idea of the scope and character of the work, it may be noticed that the title of "Admissions," edited by John D. Works, occupies 267 pages of the first volume and is prefaced with an analysis of the subject covering nine pages. The subsequent treatment follows this analysis and the matter is made the more readily available through cross references and the use of bold-faced type both in the text and in the notes.

Where there are any great number of authorities for a given proposition, the authorities of the several states are grouped together in separate paragraphs, thus enabling one to find at a glance the authorities in any particular state upon the particular proposition. The writer has at hand only the first six volumes. These bring the work down to and including the title "Identity." The remaining volumes are expected to be published within the next twelve or eighteen months, and if the succeeding volumes are to be judged by those published, the work will prove a great boon to the practising lawyer and the student of the law of evidence. V. H. LANE.

FIRE INSURANCE AS A VOID CONTRACT AND AS AFFECTED BY CONSTRUCTION AND WAIVER OR ESTOPPEL, including miscellaneous provisions and an analysis and comparison of the various standard forms, all reduced to rules with the relevant statutory provisions of all the States. Volume II by George A. Clement, of the New York Bar, Editor of the New York Annotated Code of Civil Procedure and Fire Insurance Digest. New York: Baker, Voorhis & Company, 1905, pp. cxvii, 807, 8 vo.

The author has treated the subject of Fire Insurance in a work of two volumes aggregating upwards of eighteen hundred pages, including tables of cases and indexes. The first volume appeared in 1903, the second in the latter part of 1905. In the first volume the subject is treated on the basis of the valid contract; in the second on the basis of the void contract. The plan of treatment is the same in both volumes and consists in the statement of propositions of law in the form of brief rules and the support of those rules by cases applicable to them. In this manner the author refers to about six thousand cases.

The first volume was carefully and critically reviewed in the February, 1904, number of this Review (Vol. II, pp. 424-5) by Mr. Mark Norris of Grand Rapids, Michigan, an extensive practitioner of, and acknowledged